

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TEXAS ASSOCIATION FOR THE	§	No. 1:22-CV-417-DAE
RIGHTS OF THE UNEMPLOYED,	§	
KATHRYN KAWAZOE, STEPHANIE	§	
STOUT, KIMBERLY HARTMAN,	§	
CHARLES HARMON, and JESUS	§	
DUARTE,	§	
	§	
Plaintiffs,	§	
	§	
vs.	§	
	§	
EDWARD SERNA, Executive Director,	§	
Texas Workforce Commission, in his	§	
official capacity,	§	
	§	
Defendant.	§	

ORDER DENYING WITHOUT PREJUDICE DEFENDANT’S OVERLAPPING
MOTIONS TO DISMISS AND MOTION FOR JUDGMENT ON THE
PLEADINGS

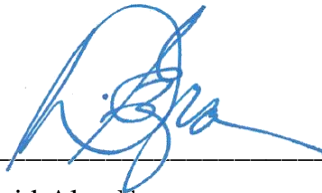
The matters before the Court are Defendant Edward Serna, Executive Director of the Texas Workforce Commission, in his official capacity’s (“Defendant” or “Serna”) three pending dispositive motions: (1) a Second Motion to Dismiss (Dkt. # 36); (2) a Third Motion to Dismiss (Dkt. # 50), and (3) a Motion for Judgment on the Pleadings (Dkt. # 51). The motions to dismiss are overlapping and—combined with the motion for judgment on the pleadings—have cluttered this Court’s docket and made it difficult to fully dispose of each motion.

Therefore, the Court will **DENY WITHOUT PREJUDICE** each of Defendant’s

pending motions (Dkts. ## 36, 50, 52) **WITH LEAVE TO FILE** a motion with all of Defendant's consolidated arguments. Plaintiffs may file a response to that motion pursuant to the Local Rules governing response times. Should he choose, Defendant may file a reply within seven days of Plaintiff's response.

IT IS SO ORDERED.

DATED: Austin, Texas, June 27, 2023.

A handwritten signature in blue ink, appearing to read 'D. Ezra', is written over a horizontal line.

David Alan Ezra
Senior United States District Judge